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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/084,596	02/27/2002	Dale E. Gulick	2000.051900/TT4033	8995

23720 7590 08/07/2006

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EXAMINER	
WILLIAMS, JEFFERY L	

ART UNIT	PAPER NUMBER
2137	

DATE MAILED: 08/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/084,596	GULICK, DALE E.	
	Examiner	Art Unit	
	Jeffery Williams	2137	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *21 June 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-65* is/are pending in the application.

4a) Of the above claim(s) *1-50* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *51-65* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *27 February 2002* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

This action is in response to the communication filed on 6/21/2006.

All objections and rejections not set forth below have been withdrawn.

Claims 1 – 65 are pending.

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 6/21/06 has been entered.

Election/Restrictions

Claims 1 – 50 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 9/07/2005.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 51, 52, 54 – 57, 59 – 62, 64, and 65 are rejected under 35 U.S.C. 102(e) as being anticipated by Flyntz, "Multi-Level Secure Computer With Token-Based Access Control", U.S. Patent 6,389,542 in view of Angelo, "Method and Apparatus for Allowing Access to Secured computer Resources by Utilizing a Password and an External Encryption Algorithm", U.S. Patent 5,949,882.

Regarding claim 51, Flyntz discloses:

receiving a request for an authentication, at a microcontroller, requesting security data from a security device; receiving the security data from the security device, at the microcontroller (Flyntz, col. 2, lines 52-56; col. 15, lines 5-20, 33-36, 53-55). Flyntz discloses that a user requests authentication by supplying security data to the microcontroller, which in turn processes such security data to evaluate acceptance.

evaluating the security data; and approving the authentication if the security data is evaluated as acceptable (Flyntz, col. 10, lines 33-40).

Flyntz discloses a microcontroller, serving to control the connection of the CPU to devices located on system buses (Flyntz, fig. 2; col. 5, line 61 – col. 6, line 25; col. 15, lines 21-32). The system of Flyntz allows for the provision of power to secure system portions after a positive indication of acceptability has been received (Flyntz, Abstract; col. 1, lines 55-63). The microcontroller receives a request for authentication via connection to a security device (Flyntz, fig. 2:31). Flyntz, however, does not disclose the microcontroller as *included in a bridge*.

Like Flyntz, Angelo discloses controlling circuitry to implement a secure power up procedure for providing power to system portions on system buses, upon permission for authorized users (Angelo, Abstract; col. 6, lines 44-50; col. 11, lines 17-45). Angelo specifically discloses that the controlling circuitry used to accomplish this procedure is included in the bridge, thus allowing the system to control the connection of the CPU to devices located on system buses (Angelo, fig. 1-130; col. 5, lines 1-30). The inclusion of the above mentioned security features within the bridge allows for increased hardware security, as security data may be entered via a secure communication path to the bridge after a request for authentication has been received (Angelo, 2:39-43; 11:64-12:9).

It would have been obvious to one of ordinary skill in the art to employ the secure bridge implementation of Angelo for connecting devices on system buses along with the security microcontroller of Flyntz for connecting devices on system buses. This would have been obvious because one of ordinary skill in the art would have been motivated by the showing of prior art that the above mentioned security features need not be

constructed as separate system components, but rather, may be feasibly included within the existing computer system's bridge, thereby allowing the secure connection of the CPU to devices located on buses (Angelo, fig. 2-130; col. 2, lines 39-43; 5:13-26; 10:33-54), as well as increased hardware security.

The combination of Flyntz and Angelo discloses the request being received from a bus external to the bridge (Flyntz, fig. 2, elem. 31).

Regarding claim 52, the combination of Flyntz and Angelo discloses:

disapproving the authentication if the security data is evaluated as unacceptable (Flyntz, col. 2, lines 53-57; col. 10, lines 33-37).

Regarding claim 53, the combination of Flyntz and Angelo discloses *wherein evaluating the security data comprises requesting an indication of acceptability inside SMM* (Angelo, Abstract; col. 6, lines 44-50; col. 5: 21-30; col. 11, lines 17-45).

Regarding claim 54, the combination of Flyntz and Angelo discloses:

wherein requesting security data from a security device comprises requesting the security data from the security device over a direct connection between the security device and the microcontroller; and wherein receiving the security data from the security device, at the microcontroller, comprises receiving the security data from the security device over the direct connection to the microcontroller (Flyntz, fig. 2, elem. 31, 32).

The combination of Flyntz and Angelo discloses a direct connection between the security device and the microcontroller.

Regarding claim 55, the combination of Flyntz and Angelo discloses:

wherein requesting security data from a security device comprises requesting biometric data from a biometric device; wherein receiving the security data from the security device, at the microcontroller, comprises receiving the biometric data from the biometric device, at the microcontroller (Flyntz, col. 2, lines 52-56; col. 15, lines 5-20, 33-36, 53-55; col. 6, lines 36-46).

wherein evaluating the security data comprises evaluating the biometric data; and wherein approving the authentication if the security data is evaluated as acceptable comprises approving the authentication if the biometric data is evaluated as acceptable (Flyntz, col. 2, lines 52-56; col. 15, lines 5-20, 33-36, 53-55; col. 6, lines 36-46; col. 10, lines 33-40).

Regarding claims 56 – 65, they are the method steps and method implemented on computer readable medium claims corresponding to the method claims above, and are rejected, at least, for the same reasons.

Response to Arguments

Applicant's arguments with respect to claims 51 - 65 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Claims 51 – 65 are rejected.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

See Notice of References Cited.

A shortened statutory period for reply is set to expire **3** months (not less than 90 days) from the mailing date of this communication.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffery Williams whose telephone number is (571) 272-7965. The examiner can normally be reached on 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emmanuel Moise can be reached on (571) 272-3865. The fax phone

number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

J. Williams
AU 2137

JW

EMMANUEL L. MOISE
SUPERVISORY PATENT EXAMINER